

1210.10 Gifts/Donations

Issued January 1, 1994

SUBJECT: Gifts and Donations.

APPLICATION: Executive Branch Departments and Sub-units.

PURPOSE: To provide guidelines for gifts and donations received by the state or its agencies.

CONTACT AGENCY: Department of Management and Budget (DMB) - Office of Financial Management (OFM).

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SUMMARY: The Legislature must authorize by appropriation any expenditure of gifts or donations received by the state or its agencies. (See Attorney General Opinion 5393 of 1978.)

State employees are prohibited from accepting gifts from state suppliers and/or contractors. (See Policy 1230.)

APPLICABLE FORMS: None.

PROCEDURES:

Agency:

- Informs donor or prospective donor of Attorney General Opinion 5393 of 1978 which concludes that the Legislature must authorize by appropriation any expenditure of gifts or donations received by the state or its agencies.
 - The state's accounting system will reflect any necessary changes to ensure donated funds are subject to available appropriations balance test.
- Upon receipt of gift/donation, immediately submits written notification to the agency chief budget officer.

Agency Chief Budget Officer:

- Determines if the agency has line item or boilerplate authority under the Budget Act for receipt of gifts or donations.
- Determines whether appropriation authorization that would authorize receipt or expenditure of these funds exists in the current Budget Act.
 - If appropriation authorization exists in the Budget Act, submits appropriate allotment forms to DMB Budget Offices.
 - If appropriation authorization does not exist, immediately notifies the agency director of the need to request supplemental appropriation from the director of DMB.

Department Director:

- When applicable, submits supplemental appropriation request to director of DMB.

DMB Director:

- When applicable, transmits supplemental request for appropriation authorization to House and Senate Appropriations Committees.

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